

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT EDWARD LEE,

Plaintiff,

Case No. 14-cv-11722
Hon. Matthew F. Leitman

v.

SAI LI, MD,

Defendant.

ORDER (1) ADOPTING REPORT AND RECOMMENDATION (ECF #46),
(2) OVERRULING OBJECTIONS TO REPORT AND
RECOMMENDATION (ECF #49), AND (3) GRANTING DEFENDANT'S
MOTION FOR JUDGMENT ON THE PLEADINGS (ECF #32)

In this action, Plaintiff Robert Lee (“Lee”) alleges, among other things, that while he was a patient at the Center for Forensic Psychiatry, Defendant Dr. Sai Li (“Dr. Li”), a psychiatrist, forced him to take medication that caused certain side effects. (*See* Am. Compl. ECF #5.) Dr. Li moved for judgment on the pleadings on July 16, 2015 (the “Motion”). (*See* ECF #32.) The assigned Magistrate Judge issued a report and recommendation on March 3, 2016, in which he recommended that the Court grant the Motion (the “R&R”). (*See* ECF #46.)

On March 23, 2016, Lee filed a motion with the Court asking for to extend the time to file objections to the R&R (the “Motion to Extend Time”). (*See* ECF #48.) The Court granted the Motion to Extend Time and instructed Lee to file his objections to the R&R by no later than April 15, 2016. (*See* ECF #49 at 2, Pg. ID

350.) The Court further instructed Lee that his objections needed to specifically respond to the portions of the R&R to which he objected, and that the failure to file such specific objections would result in a waiver of both his right to object and to appeal this Court's ruling:

Each of Lee's objections must **specifically and precisely identify** the provision of the R&R to which the objection pertains. Lee is again cautioned that the failure to lodge specific objections to the R&R constitutes a waiver of both his right to object and his right to appeal. *See, e.g., Thomas v. Arn*, 474 U.S. 140 (1985). "An 'objection' that does nothing more than state a disagreement with a magistrate's suggested resolution, or simply summarizes what has been presented before, is not an 'objection' as that term is used in this context." *Aldrich v. Bock*, 327 F.Supp.2d 743, 747 (E.D. Mich. 2004). Indeed, "[a] general objection to the entirety of the magistrate's report has the same effects as would failure to object." *Zimmerman v. Cason*, 354 Fed. App'x 228, 230. Finally, "the filing of vague, general, or conclusory objections does not meet the requirement of specific objections and is tantamount to a complete failure to object." *Id.*

(*Id.* at 2-3, Pg. ID 350-51; emphasis in original.)

Lee filed his objections on April 14, 2016, in a filing Lee titled "Count I \$200,000/Motion for R&R" (the "Objections"). (*See* ECF #50.) The Court has reviewed Lee's filing and cannot discern any specific objections to the R&R. Lee does ask for additional time to respond to the R&R, but Lee does not explain why the extra time the Court has already provided is not sufficient, nor why he needs more time to respond to the R&R. Lee also appears to object to the fact that he

was not allowed to conduct discovery, but the Court does not believe discovery is warranted. Finally, the Court has reviewed the R&R and finds it well-reasoned and well-supported.

Accordingly, **IT IS HEREBY ORDERED** that Lee's Objections to the R&R (ECF #49) are **OVERRULED**. **IT IS FURTHER ORDERED** that the R&R (ECF #46) is **ADOPTED** as the Opinion of this Court. Dr. Li's Motion for Judgment on the Pleadings (ECF #32) is **GRANTED** for the reasons stated in the R&R, and Lee's claims against Dr. Li are **DISMISSED WITH PREJUDICE**.¹

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: April 14, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 14, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(313) 234-5113

¹ Lee has also filed a document with the Court titled "Motion to Plead." (See ECF #45.) To the extent the "Motion to Plead" requests any relief, the Court **DENIES** the motion as moot.